

Message Text

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E.O. 11652: N/A

TAGS: SHUM, UN, UNHRC

SUBJ: HUMAN RIGHTS COMMISSION (HRC) - FINAL MEETINGS - ZIONISM
RESOLUTION

1. IN TWO MEETINGS MAR 5 HRC COMPLETED COMPARATIVELY RAPID
RUN THROUGH REMAINING TWELVE ITEMS OF ITS AGENDA AND ADOPTED
REPORT TO ECOSOC ON THIRTY-SECOND SESSION.

2. PRINCIPAL DEVELOPMENT WAS ADOPTION UNDER AGENDA ITEM 14
(RELATING TO PROGRAM FOR DECADE FOR ACTION TO COMBAT
RACISM AND RACIAL DISCRIMINATION) OF DRAFT RES PROPOSED BY
DELEGATIONS OF CUBA, EGYPT, INDIA, JORDAN,
PAKISTAN, SENEGAL; TANZANIA AND YUGOSLAVIA. (TEXT OF RES.
AT END OF THIS MESSAGE.) RESOLUTION WAS PRESENTED BY
PAKISTAN WITH UNDERSTANDING WOULD BE NO GENERAL DEBATE.
PRIOR TO VOTE GARMENT DELIVERED STATEMENT ANNOUNCING NON-
PARTICIPATION IN DISCUSSION OR IN VOTE. VOTE WAS 19-8 (UK,
URUGUAY, CANADA, FRANCE, FRG, PANAMA, ITALY AND AUSTRIA)-
1 (ECUADOR) (US NOT PARTICIPATING, COSTA RICA AND TANZANIA
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ABSENT).

3. IN EXPLANATIONS OF VOTE LIBYA AND JORDAN NOTED THAT UNDER OPERATIVE PARA 1 OF RESOLUTION, SUBCOMMISSION ON DISCRIMINATION AND MINORITIES WOULD HAVE OPPORTUNITY TO EXAMINE RACIST LAWS IN PALESTINE AND TO DETERMINE EXTENT OF RACISM IN ISRAEL. REP OF SIERRA LEONE NOTED THAT RESOLUTION CONTAINED NO REFERENCE TO GA RESOLUTION 3379 (ON ZIONISM-RACISM) AND THAT THEREFORE HER VOTE IN FAVOR NOT INCONSISTENT WITH POSITION TAKEN BY SIERRA LEONE AT 30TH GA ON RES. 3379. PERU AND LESOTHO NOTED THEIR VOTES IN VAFOR DID NOT INDICATE CHANGE IN THEIR GOVERNMENTS POSITIONS ON GA RES. 3379.

4. FOLLOWING IS TEXT OF STATEMENT MADE BY GARMENT. BEGIN TEXT.

STATEMENT ON DECADE TO ELIMINATE ALL FORMS OF RACISM AND RACIAL DISCRIMINATION

BY

LEONARD GARMENT
UNITED STATES REPRESENTATIVE
HUMAN RIGHTS COMMISSION
MARCH 5, 1976

MR. CHAIRMAN,

UNDER THE SUBJECT OF THE DECADE TO ELIMINATE ALL FORMS OF RACISM AND RACIAL DISCRIMINATION, THE THIRTIETH GENERAL ASSEMBLY ENGAGED IN THE MOST DESTRUCTIVE ACT IN THE HISTORY OF THE UNITED NATIONS. THAT ACT CAUSED SEVERE INJURY TO THE ALREADY DISCREDITED MORAL AUTHORITY OF THE ORGANIZATION. THE UNITED STATES THEREUPON FORMALLY DECLARED THAT IT WOULD NOT ACQUIESCE OR PARTICIPATE IN ANY PROGRAM CONTAMINATED BY LANGUAGE WHICH CONTRADICTED THE BASIC ASSUMPTIONS OF THE EFFORT TO PROMOTE HUMAN RIGHTS.

THIS DECISION IS VERY PRECISE. IT REPRESENTS THE UNITED STATES POSITION ON CERTAIN SPECIFIC WORK OF THE UNITED NATIONS. OUR SUPPORT FOR HUMAN RIGHTS, WHICH EMBODIES MY COUNTRY'S FINEST HOPES, WILL NOT BE DIMINISHED LIMITED OFFICIAL USE

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OR DIVERTED BY INADMISSABLE ACTIONS IN THE GENERAL ASSEMBLY OR ANYWHERE ELSE IN THE UNITED NATIONS.

THE GENERAL POLICY OF UNITED STATES SUPPORT FOR ACTIONS TO PROTECT HUMAN RIGHTS WILL OF COURSE CONTINUE DESPITE THE CORRUPTION AND DISTORTION OF THE LANGUAGE OF HUMAN RIGHTS BY UNITED NATIONS DECISIONS. THAT POLICY APPLIES TO THIS COMMISSION WITH THE SAME FORCE AS IT DOES TO EVERY OTHER PART OF THE UNITED NATIONS SYSTEM, AND IT APPLIES WHENEVER

POSSIBLE. OR SHOULD I SAY IF IT IS POSSIBLE?

THE UNITED STATES CAME TO THIS SESSION HOPING TO DIS-
PEL OR REDUCE DOUBTS THAT THE COMMISSION CAN DEAL WITH HUMAN
RIGHTS PROBLEMS FORCEFULLY AND IMPARTIALLY. IT CAME HERE
ANXIOUS TO AFFIRM IN SOME MANNER THE CONTINUING RELEVANCE
AND LEGITMACY OF THIS COMMISSION.

THE UNITED STATES ASKED THIS COMMISSION TO RECOGNIZE
THE RIGHT OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE;
IT RECEIVED THE AMBIGUITY OF A DIPLOMATIC DENIAL.

IT CALLED ON THE COMMISSION, AFTER YEARS OF DELAYS AND
FALSE STARTS, TO COMPLETE A DECLARATION ON RELIGIOUS INTOL-
ERANCE. AFTER FIVE WEEKS OF NEGOTIATION ONE CLOUDY SENTENCE
WAS ADDED TO THE DRAFT PREAMBLE. WHAT WAS MADE TRANSPARENTLY
CLEAR, HOWEVER, IS THAT MEMBERS OF THIS COMMISSION HOLDING
THE POWER TO BLOCK ACTION -- THE SOVIET UNION AND THE
BYELORUSSIAN SOVIET SOCIALIST REPUBLIC -- ARE INTERESTED
IN PROTECTING STATES FROM PRIVATE BELIEFS, NOT IN SECURING
RELIGIOUS FREEDOM. SO IT IS A VIRTUAL CERTAINTY THAT THERE
WILL NEVER BE A DECLARATION, CERTAINLY NOT ONE THAT FIRMLY
PROTECTS INDIVIDUAL BELIEF.

THE UNITED STATES ASKED THE COMMISSION TO WELCOME THE
HUMAN RIGHTS PROVISIONS OF THE HELSINKI DECLARATION. THE
COMMISSION REFUSED EVEN TO PRONOUNCE ITSELF ON SUCH A
STRAIGHTFORWARD PRINCIPLE. IT THEN ADOPTED THE GROTESQUE
PROPOSITION THAT HUMAN RIGHTS ARE TO BE RECOGNIZED ONLY
WHEN THE STATE IS SATISFIED IN ITS SECURITY.

THE UNITED STATES FORMALLY ASKED THE COMMISSION TO
ABANDON ITS OBSESSION WITH THE ISSUE OF HUMAN RIGHTS IN ONLY
THREE COUNTRIES, AND TO DO SO BY SIMPLY INITIATING INVESTI-
GATORY ACTION UNDER THE 1503 PROCEDURE IN TWO BROADLY-
PUBLICIZED CASES. THESE WOULD HAVE BEEN THE FIRST SUCH

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ACTIONS UNDER A PROCEDURE WHICH HAS BEEN IN EXISTENCE SINCE 1970, WHICH WAS TO BE THE VEHICLE FOR ACTING AGAINST SERIOUS AND SYSTEMATIC VIOLATIONS OF HUMAN RIGHTS, BUT WHICH HAS NOT PRODUCED A SINGLE ACTION BY THE COMMISSION IN ALL THE YEARS OF ITS EXISTENCE. BUT WE FAILED, AND WE FAILED AFTER A DEBATE WHICH MUST REMAIN SECRET AND FOR REASONS WHICH MUST REMAIN SECRET BECAUSE THE PROCEEDINGS ARE SECRET. CATCH-22 ON THE INTERNATIONAL LEVEL.

THE UNITED STATES SUGGESTED A SIMPLE AND IRREPROACHABLE IMPROVEMENT IN THE 1503 PROCEDURES, ONE THAT WAS ORIGINALLY DRAFTED AND RECOMMENDED BY A UNIVERSALLY RESPECTED BODY OF INDEPENDENT EXPERTS, THE INTERNATIONAL COMMISSION OF JURISTS. THE COMMISSION DECLINED TO TAKE ACTION ON THIS MODEST PROCEDURAL SIMPLIFICATION OF THE RUBE GOLDBERG MAZE OF 1503.

THE UNITED STATES RAISED THE ISSUE OF POLITICAL PRISONERS, AND A HEARING ON THE PROPOSAL WAS DEFERRED FOR A YEAR, OSTENSIBLY FOR LACK OF TIME -- ALTHOUGH THERE WAS AMPLE TIME TO SPEND DAYS WANDERING OVER THE FAMILIAR TERRAIN OF ANCIENT AND FRUITLESS HATREDS.

THE INCIDENTS I HAVE MENTIONED ARE ONLY REPRESENTATIVE
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OF A MUCH LONGER LIST. BUT THEY MAKE CLEAR THAT WHAT HAS TAKEN PLACE HERE HAS A LOGIC AND CONSISTENCY, A LOGIC AND CONSISTENCY THAT REINFORCES THE POSITION OF THE UNITED STATES ON THE DECADE TO ELIMINATE ALL FORMS OF RACISM AND RACIAL DISCRIMINATION. WHENEVER THE UNITED STATES SPOKE HERE OF UNIVERSALITY, IT WAS ANSWERED WITH PAROCHIALISM. WHEN IT SOUGHT CONSISTENCY, IT FOUND RADICALLY INCONSISTENT TREATMENT OF PERSONS AND CIRCUMSTANCES. WHEN IT ATTEMPTED TO PROTECT HUMAN RIGHTS BY WORKING WITHIN THE UNITED NATIONS SYSTEM, IT FOUND THE SYSTEM, AND SPECIFICALLY THIS COMMISSION, INCAPABLE OF TAKING ACTION THAT COULD COMMAND UNIVERSAL RESPECT.

MR.. CHAIRMAN, IT IS A MISNOMER FOR THIS BODY TO BE CALLED A COMMISSION ON HUMAN RIGHTS. FOR WHAT THE COMMISSION IS DOING NOW IS A TRAVESTY ON HUMAN RIGHTS AND A DISERVICE TO ITS HISTORY. IT IS ALL THE MORE A TRAVESTY BECAUSE THE UNDENIABLE VALUE OF ITS WORK IN DEALING WITH THE HISTORIC SHAME OF ENSLAVEMENT OF BLACKS BY WHITES IN

AFRICA LENDS LEGITIMACY TO ITS INSTITUTIONALIZED BLINDNESS TO THE ENSLAVEMENT AND MISTREATMENT OF WHITES BY WHITES IN DEVELOPED COUNTRIES OF THE NORTHERN PART OF THE WORLD. AND TO THE EXTENT THAT THE SILENCE OF THIS ORGANIZATION LEGITIMIZES THESE NORORIOUS EVILS IT BECOMES AN INSTRUMENT OF EVIL ITSELF. WE ARE FORCED TO THE CONCLUSION AT THIS TIME THAT IF THIS GROUP IS DEVOTED TO ANYTHING, IT IS DEVOTED TO POLITICAL AXE-GRINDING ON BEHALF OF NARROW PARTISAN INTERESTS.

IT IS IN THIS CONTEXT, THAT I REPEAT THE POSITION OF THE UNITED STATES ON THE DECADE TO ELIMINATE RACISM AND RACIAL DISCRIMINATION. THE UNITED STATES WILL COLLABORATE IN EFFORTS THROUGHOUT THE WORLD AGAINST RACIAL DISCRIMINATION. IT WILL CONTINUE TO WORK AGAINST THE EFFECTS OF PAST PRACTICES. BUT IT DOES NOT ACCEPT, IT CANNOT SUPPORT, IT WILL NOT TAKE PART IN THE UNITED NATIONS DECADE TO ELIMINATE RACISM AND RACIAL DISCRIMINATION. IT HAS TAKEN THIS DECISION AND WILL ADHERE TO IT BECAUSE A MAJORITY OF UNITED NATIONS MEMBERS DECIDED THERE WAS MORE TO GAIN BY STIMULATING HATRED AND DIVISION THAN BY ENCOURAGING UNDERSTANDING AND COLLABORATION.

SO BE IT. THE UNITED STATES WILL NOT PARTICIPATE ANY FURTHER IN THE DEBATE ON THIS ITEM. AND IT DISASSOCIATES LIMITED OFFICIAL USE

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ITSELF COMPLETELY FROM ANY ACTION TAKEN BY THIS COMMISSION UNDER THIS ITEM.END TEXT. FOR USUN:
GARMENT REQUESTS THAT COPIES BY PASSED TO
PROF. MOYNIHAN AND TELTSCH (N.Y. TIMES) AND BERLIN
(N.Y. POST).

5. FOLLOWING IS TEXT OF RESOLUTION. BEGIN TEXT.

STUDY IN COLLABORATION WITH THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES OF WAYS AND MEANS OF ENSURING THE IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS BEARING ON APARTHEID, RACISM AND RACIAL DISCRIMINATION.

IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION

CUBA, EGYPT, INDIA, JORDAN, PAKISTAN, SENEGAL, UNITED REPUBLIC OF TANZANIA, YUGOSLAVIA: DRAFT RESOLUTION

THE COMMISSION ON HUMAN RIGHTS,
RECALLING ITS RESOLUTION I (XXIX) BY WHICH IT SUBMITTED THE DRAFT PROGRAMME FOR A DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION TO THE ECONOMIC AND SOCIAL COUNCIL FOR SUBMISSION TO THE GENERAL ASSEMBLY,

REITERATING ITS FIRM CONVICTION THAT RACISM AND RACIAL
DISCRIMINATION ARE THE TOTAL NEGATION OF THE PURPOSES AND
PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS AND THAT
IT MILITATES AGAINST HUMAN PROGRESS, PEACE, AND JUSTICE,
BELIEVING IN THE URGENT NEED FOR CONTINUOUS AND

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VIGOROUS NATIONAL ACTION AND COLLECTIVE INTERNATIONAL
MEASURES AGAINST RACISM AND RACIAL DISCRIMINATION AFFECTING
MILLIONS OF PEOPLE ALL OVER THE WORLD IN ORDER TO ENSURE
THEM THE DIGNITY AND EQUALITY INHERENT IN ALL HUMAN BEINGS,
MINDFUL OF GENERAL ASSEMBLY RESOLUTION 3377 (XXX) OF
10 NOVEMBER 1975, CALLING UPON THE COMMISSION ON HUMAN
RIGHTS IN COLLABORATION WITH THE SUB-COMMISSION ON PREVENTION
OF DISCRIMINATION AND PROTECTION OF MINORITIES, TO STUDY WAYS
AND MEANS OF ENSURING THE IMPLEMENTATION OF UNITED NATIONS
RESOLUTIONS BEARING ON APARTHEID, RACISM AND RACIAL DISCRIMINATION
WITH A VIEW TO FACILITATING THE EXAMINATION OF
THIS QUESTION BY THE GENERAL ASSEMBLY IN ACCORDANCE WITH
PARAGRAPH 18 (I) OF THE PROGRAMME FOR THE DECADE,
TAKING INTO CONSIDERATION ALL PROCEEDINGS AND RESOLUTIONS
OF THE GENERAL ASSEMBLY AND THE ECONOMIC AND SOCIAL COUNCIL
ON THE QUESTION OF THE DECADE FOR ACTION TO COMBAT RACISM

AND RACIAL DISCRIMINATION SINCE THE ADOPTION BY THE
GENERAL ASSEMBLY OF RESOLUTION 3057 (XXVIII) DESIGNATING
THE DECADE,

WELCOMING THE DECISION OF THE SUB-COMMISSION TO INCLUDE
IN ITS AGENDA FOR THE 29TH SESSION AN ITEM ENTITLED "REVIEW
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OF THE CONTRIBUTION BY THE SUB-COMMISSION TO THE IMPLEMENTA-
TION OF THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL
DISCRIMINATION".

1. REQUESTS THE SUB-COMMISSION ON PREVENTION OF
DISCRIMINATION AND PROTECTION OF MINORITIES AT ITS NEXT
SESSION TO STUDY AND PREPARE SUGGESTIONS ON EFFECTIVE
WAYS AND MEANS AND CONCRETE MEASURES FOR SECURING THE
FULL AND UNIVERSAL IMPLEMENTATION OF THE UNITED NATIONS
DECISIONS AND RESOLUTIONS ON RACISM, RACIAL DISCRIMINATION,
APARTHEID, DECOLONIZATION AND SELF DETERMINATION AND
RELATED MATTERS AND TO SUBMIT ITS SUGGESTIONS AND PROPOSALS
TO THE COMMISSION AT ITS THIRTY-THIRD SESSION.

2. DRAWS THE ATTENTION OF THE SUB-COMMISSION TO THE
DELIBERATIONS AND DECISIONS OF THE GENERAL ASSEMBLY AT
ITS 30TH SESSION AND OF THE COMMISSION AT ITS 32ND
SESSION ON THIS QUESTION.

3. RECOMMENDS TO THE ECONOMIC AND SOCIAL COUNCIL TO TAKE INTO ACCOUNT
THE PARTICIPATION OF THE COMMISSION IN THE PREPARATORY ARRANGEMENTS
FOR
HOLDING THE WORLD CONFERENCE TO COMBAT RACISM AND RACIAL DISCRIMINATION.
END TEXT.DALE

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